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PATENT

JAN 25 2008
Docket No. SUH 0019 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/733,770 Confirmation No. 8737
 Applicant : SUH, Kun-Hee
 Filed : December 12, 2003
 Title : METHOD OF FORMING BUILDING MATERIALS CONTAINING AS
 A MAIN COMPONENT MAGNESIUM OXIDE
 TC/A.U. : 1731
 Examiner : Russell J. Kemmerle III
 Docket No. : SUH 0019 US
 Customer No.: 67339

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Certification under 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at the following facsimile number: (571) 273-8300, to the attention of and addressed to the Commissioner for Patents, Alexandria, VA 22313-1450 on January 25, 2008.


 Vangelis Economou, Reg. No. 32,341

PETITION UNDER 37 C.F.R. §1.181(a)

Sir:

This Petition is made pursuant to 37 C.F.R. §1.181 and MPEP §711(c)(3) to invoke the supervisory authority of the Director to withdraw the holding of abandonment issued in the application. On December 13, 2007, Applicant's undersigned representative filed a fully responsive Amendment to the Office Action mailed on June 26, 2007 having a shortened statutory period for response set to expire on September 26, 2007, together with an accompanying Request for Continued Examination and a three month extension request, resetting the period for response up to and including December 26, 2007. The response including the RCE and amendment was received in the OIPE on December 17, 2007 as evidenced by the attached copy of the return receipt postcard.

Adjustment date: 03/17/2008 CKHLOK
 12/19/2007 SLUANG1 00000010 503993 10773770
 01 FC:2253 -525.00 OP

Adjustment date: 03/17/2008 CKHLOK
 12/19/2007 SLUANG1 00000010 503993 10773770
 02 FC:2801 100.00 CR -305.00 OP

03/17/2008 CKHLOK 00000012 503993 10773770
 01 FC:2253 525.00 OP
 02 FC:2801 305.00 OP
 100.00 DA

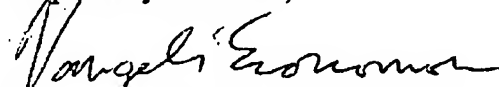
Appl. No. 10/733,770
Petition dated January 25, 2008
Reply to Office Action of June 26, 2007

Applicant through his undersigned attorney mistakenly transposed a number in the Serial Number of the application when the Response was filed, indicating 10/773,770 instead of the correct number 10/733,770. (It is noted that the application with mistaken serial number had previously been patented in 2005.) A copy of the documents filed on December 13, 2007 including the RCE, the Extension of Time Request, the Amendment and the copy of the postcard is attached hereto as evidence of the inadvertent mistake and the timely receipt of the Response by the US Patent and Trademark Office. It is noted that the checks in payment of the RCE and the Extension Request fees have been deposited by the USPTO and have been returned as having been cashed by the undersigned attorney's bank.

This was an inadvertent mistake within the meaning of MPEP 711(c)(3). Thus Applicant respectfully petitions that the attached RCE and Amendment be entered in the correct application file (10/733,770), that the Notice of Abandonment dated January 23, 2008 be withdrawn and the application be reinstated to pending status. Applicant's undersigned attorney expresses his appreciation for consideration and action on this petition.

No fee is considered necessary for this petition under the discussion found in MPEP 711(c)(3) (I.), and also as expressed by Examiner Griffin in a telephone conversation had on January 25, 2008. In the event a fee is required, please charge Deposit Account No. 50-3993.

Respectfully submitted,



Vangelis Economou, Reg. No. 32,341
Attorney for Applicant(s)

Date: January 25, 2008

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